

**R e m a r k s****I. Status of Application**

Claims 1-54 are pending in the application. Claims 1-54 were rejected. Claims 1, 2, 8, 12, 26, 27, 29, 30, 32, 36, 37, 39, 41, and 48 are amended. Claim 55 is new.

**II. Amendments to the Specification**

The Examiner objected to several items pertaining to the specification. In response, applicant has amended the specification as indicated above. These amendments are discussed below.

The discussion of Figs. 9A and 9B in the Brief Description of the Drawings section was objected to. In response, Applicant has revised the relevant paragraphs to improve their form.

In response to the Examiner's objection, the paragraph starting at page 7, line 10 has been amended.

Appropriate revisions have been made to ensure that all trademarks are fully capitalized, as suggested by the Examiner.

The reference in the specification to U.S. Patent Application No. 08/978,084 has been replaced by U.S. Patent No. 6,414,490 B1, which issued from a continuation of that application. U.S. Patent No. 6,414,490 B1 is provided with an Information Disclosure Statement filed herewith. It is noted that, according to MPEP §608.01(p) (I)(a), "Abandoned applications less than 20 years old can be incorporated by reference to the same extent as copending applications; both types are open to the public upon referencing application issuing as a patent."

**III. Claim Objections**

Claims 8 and 48 were objected to as failing to provide proper antecedent basis. Claims 8 and 48 have been amended to correct their form.

Claim 37 was objected to due to a typographical error. Claim 37 has been amended to correct the error.

**IV. Claim Rejections - 35 USC § 112**

Claims 26 and 32 were rejected because each contains a trademark/tradename. In response, Applicant has amended claims 26 and 32 to use the term "hook and loop fastener" in place of the term "Velcro."

**V. Claim Rejections - 35 USC § 102**

Claims 1, 7, 35 and 52 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by U.S. Patent No. 6,198,285 (Kormos). Applicant has amended claim 1 and respectfully traverses the rejection.

**Claims 1, 7, and 52**

Amended independent claim 1 defines a room for use in conducting a medical procedure. A screen is disposed in the room. A plurality of scenes are on the screen. Claim 1 has been amended to recite a means for changing a scene for display by moving the screen.

Kormos discloses a room for conducting a medical procedure having an MRI scanner and an LCD display device for displaying control signals received from a workstation (col. 6, line 60 - col. 7, line 15). Nowhere does Kormos teach or suggest a "means" for changing a scene for display by moving a screen, as defined by amended claim 1. Kormos discloses only a computer terminal - including an LCD display device - that displays control information. Although the

LCD display device presumably allows various items of control information to be presented, there is no disclosure that a “scene” is changed by “moving” the LCD device, as required by amended claim 1.

Kormos also fails to teach or suggest providing “a plurality of scenes” on a screen, as required by amended claim 1. As discussed above, the LCD display device disclosed in Kormos displays only control information. Nowhere does Kormos mention a “scene.” None of the other cited references teach or suggest these features either.

Accordingly, amended claim 1, together with its dependent claims (7 and 52), are patentable over the cited art. The dependent claims recite patentable limitations, as well.

#### Claim 35

Independent claim 35 recites a method for preparing a room for a medical procedure, comprising advancing a screen comprising a plurality of images to a selected image. As discussed above, Kormos fails to teach or suggest “advancing” or moving a screen comprising a plurality of images to a selected image. At best, Kormos suggests displaying various items of control information on a computer terminal. None of the other cited references teach or suggest this feature either. As such, claim 35 is patentable over Kormos.

### **VI. Claim Rejections - 35 USC § 103**

#### **A. Rejections over Kormos in view of August**

Claims 2, 4-6, 10-12, 14-17, 27, 34, 36-38, 40, 42-47 and 49 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of U.S. Patent No. 5,681,259 (August). Applicant has amended claims 2, 12, 27, 36 and 37, and respectfully traverses the rejection.

Claims 2, 4-6, and 10-11

Claims 2, 4-6, and 10-11 are dependent on claim 1. As discussed above, amended claim 1 is patentable over the cited art. Therefore, claims 2, 4-6, and 10-11, as amended, are also patentable over the cited art. Claims 2, 4-6, and 10-11 recite patentable limitations, as well.

Amended Claim 12 and Claims 14-17

Amended independent claim 12 recites a room for conducting medical procedures, comprising a means for moving a screen across a room to display a selected one of a plurality of images on a screen. It is the movement of the screen that enables the display of a selected image. Neither Kormos nor August teaches or suggests a “means” for displaying a selected one of a plurality of images by moving a screen, as defined by amended claim 12.

As discussed above, Kormos shows an LCD display device within an MRI room, for displaying control information. Nowhere does Kormos teach or suggest a means for moving a screen to display a selected one of a plurality of images, as claimed.

August also fails to teach or suggest this feature. August discloses a display device disposed near a patient hospital bed (Fig. 1). The display device, which comprises a picture, may be mounted on a wall or sliding curtain, for example (col. 10, lines 25-33). Although August discloses several methods for “changing” the picture, none of the disclosed methods comprises displaying a selected one of a plurality of images by movement of a screen. In a first alternative, the visual display device may be “removably mounted” on a hospital curtain manually (col. 11, lines 22-25). One picture is merely replaced manually by another. Thus, although a desired picture may be selected after it has been manually placed on the curtain, a plurality of images are

not provided on the screens and there is no means for moving a screen to display a selected one of a plurality of images, as claimed.

Similarly, the patient may choose a display device displaying a picture on a shade-like material rollable about an inner spindle within a support cylinder (col. 12, lines 19-25, Fig. 4). Again, this is not a “means” for moving a screen to display a selected one of a plurality of images on that screen, as required by amended claim 12.

None of the other cited references teaches or suggests a “means” for moving a screen to display a selected one of a plurality of images, either. Therefore, amended claim 12, together with its dependent claims (2, 4-6, and 10-11), are patentable over the Kormos and August. The dependent claims recite patentable limitations, as well.

#### Claims 27 and 34

Amended independent claim 27 recites a bed for supporting a patient, a flexible screen having at least one image, a track extending across the room, a belt within the track, and a “moving means” for moving the screen to display an image. The “moving means” recited in the specification includes (among other elements) a motor and a pulley, as described above. As stated by the Examiner on pp. 8-9 of the Office Action, neither Kormos nor August teaches or suggests the combination of a belt in a track, and a moving means for moving a screen along the track, as defined in amended claim 27. Nor do any of the other cited references teach or suggest these features. Accordingly, amended claim 27, together with its dependent claim (34), are patentable over the cited art. Claim 34 recites a patentable limitation, as well.

Amended Claim 36

Claim 36 has been amended to depend from claim 35. As discussed above, claim 35 is patentable over the cited art. Therefore, amended claim 36 is also patentable over the cited art. Amended claim 36 a patentable limitation, as well.

Claims 37-38, 40, 42-47, and 49

Amended independent claim 37 recites a method for using an MRI room, comprising moving a screen comprising a plurality of scenes to display a selected one of the scenes in the room, positioning a patient, and performing an MRI procedure. For reasons set forth above, neither Kormos nor August teaches or suggests moving a screen comprising a plurality of scenes to display a selected one of the scenes. Accordingly, amended claim 37, together with its dependent claims (38, 40, 42-47, and 49), are patentable over the cited art. The dependent claims recite further patentable limitations, as well.

**B. Rejections over Kormos in view of August and Simson**

Claims 3, 18, 20, 22-26, 28-33, 50, 51, and 54 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kormos in view of August, and in further view of U.S. Patent No. 5,953,840 (Simson). Applicant respectfully traverses the rejection.

Claim 3

Claim 3 depends from amended claim 1. As discussed above, amended claim 1 is patentable over the cited art. Therefore, claim 3 is also patentable over the cited art. Claim 3 recites a patentable limitation, as well.

Claims 18 and 20

Claims 18 and 20 depend from amended claim 12. As discussed above, amended claim 12 is patentable over the cited art. Therefore, claims 18 and 20 are also patentable over the cited art. These dependent claims recite further patentable limitations, as well.

Claims 22-26, 50, 51, and 54

Independent claim 22 recites a magnetic resonance imaging assembly, a screen, at least one image on the screen, a track extending across the room, a belt movably disposed within the track, a motor for moving the belt within the track, and a cartridge for storing the screen. In the example of Fig. 7, the movement of the belt (64) is driven by the motor. Once the screen is attached to the belt, the belt moves along the track (70), thereby causing the screen to move as well. (See, for example, Specification pp. 22-23) The belt is separate from the pulley system (72).

The combination defined by claim 22 is neither taught nor suggested by the cited art, either individually or in combination. In particular, none of the cited references teaches or suggests a belt movably disposed within a “track,” or a motor for causing the belt to move within the “track,” as defined by claim 22. The Examiner admits in the Office Action that neither Kormos nor August teaches or suggests this feature. Simson also fails to teach or suggest these features, as discussed below.

Simson discloses a switch used to control the movement of a banner for displaying charts and advertisements. Simson fails to disclose the “belt movably disposed within a track” as recited in claim 22. Although Simson discloses a movable belt, the belt is not “disposed within a track” as required by claim 22 and shown in Fig. 7, for example. The banner display device

disclosed in Simson comprises two rotating rollers around which a pliable web is scrolled (col. 7, lines 35-43). One or more banners are mounted on the web (col. 7, lines 35-43). The rotation of the rollers is controlled by a motor, which drives a motor pulley, the rotation of which is transmitted to a roller drive pulley through a belt (col. 7, lines 11-15). Thus, the “belt” disclosed in Simson is similar to an ordinary transmission belt, in this case transferring energy from a motor to a rotating roller. The “belt” disclosed in Simson is certainly not disposed within a track which extends across a room, as required by claim 22. Moreover, the motor disclosed in Simson does not cause movement of the belt within a “track,” as required by claim 22.

In addition, there is no motivation to combine the Simson reference with the Kormos and August references. There is no teaching or suggestion in any of the cited references that it would be advantageous to combine Simson with Kormos and August or how to do so. More specifically, there is no teaching or suggestion in either Kormos or August or the other cited references to adopt a system such as Simson, because there is no teaching or suggestion in any of the cited references to change images by moving a screen. Even if there were such a suggestion, the combination of Kormos, August and Simson does not result in the claimed invention. Accordingly, claim 22, together with its dependent claims (23-26, 50, 51, and 54), are patentable over the cited art. The dependent claims recite further patentable limitations, as well.

### Claims 28-33

Claims 28-33 depend from amended claim 27. As set forth above, amended claim 27 is patentable over the cited art. Therefore, claims 28-33 are also patentable over the cited art. These dependent claims recite further patentable limitations, as well.

**C. Rejection over Kormos in view of August and Overweg**

Claims 8 and 48 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August and in further view of U.S. Patent No. 5,917,395 (Overweg). Applicant respectfully traverses the rejection.

Claims 8 and 48 depend from amended claims 1 and 37. As set forth above, amended claims 1 and 37 are patentable over the cited art. Accordingly, claim 8 and 48 are also patentable over the cited art. These dependent claims recite further patentable limitations, as well.

**D. Rejection over Kormos in view of Damadian**

Claim 9 was rejected under 35 U.S.C. 103(a) as being allegedly obvious over Kormos in view of U.S. Patent No. 6,335,623 (Damadian). Applicant respectfully traverses the rejection.

Claim 9 depends from amended claim 1. As discussed above, amended claim 1 is patentable over the cited art. Accordingly, claim 9 is also patentable over the cited art. Claim 9 recites a patentable limitation, as well.

**E. Rejection over Kormos in view of August and Saylor**

Claims 13 and 21 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August, and further in view of U.S. Patent No. 4,173,087 (Saylor). Applicant respectfully traverses the rejection.

Claims 13 and 21 depend from amended claim 12. As discussed above, amended claim 12 is patentable over the cited art. Accordingly, claims 13 and 21 are also patentable over the cited art. The dependent claims recite further patentable limitations, as well.

**F. Rejection over Kormos in view of August and Vinegar**

Claim 19 was rejected under 35 U.S.C. as being allegedly unpatentable over Kormos in view of August and in further view of U.S. Patent No. 4,651,099 (Vinegar). Applicant respectfully traverses the rejection.

Claim 19 depends from amended claim 12. As set forth above, amended claim 12 is patentable over the cited art. Accordingly, amended claim 12 and claim 19 are also patentable over the cited art. Claim 19 recites a patentable limitation, as well.

**G. Rejection over Kormos in view of August and Sahadevan**

Claims 39 and 41 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August and U.S. Patent No. 5,842,987 (Sahadevan). Applicant respectfully traverses the rejection.

Claims 39 and 41 depend from amended claim 37. As discussed above, amended claim 37 is patentable over the cited art. Accordingly, claims 39 and 41 are also patentable over the cited art. The dependent claims recite further patentable limitations, as well.

**H. Rejection over Kormos in view of August, Simson, and Overweg**

Claim 53 was rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Kormos in view of August, Simson, and Overweg. Applicant respectfully traverses the rejection.

Claim 53 depends from claim 22. As set forth above, claim 22 is patentable over the cited art. Accordingly, claim 53 is also patentable over the cited art. Claim 53 recites a patentable limitation, as well.

**VII. Double Patenting**

Claim 9 was rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claim 18 of Damadian in view of Kormos.

Applicant respectfully traverses the rejection.

Claim 9 depends from amended claim 1. As discussed above, amended claim 1 is patentable over the cited art because Kormos fails to teach or suggest either a means for changing a scene by moving a screen, as required by amended claim 1. Therefore, claim 9 is also patentable over the cited art. Damadian also fails to teach or suggest these features. At best, Damadian discloses an MRI apparatus having walls decorated with a single outdoor scene extending across the walls of a rooms. However, Damadian mentions neither a screen nor a means for changing a scene, as defined by amended claim 1. Applicant emphasizes that claim 18 of Damadian also does not recite these features. Accordingly, claim 9 is patentable over claim 18 of Damadian.

**VIII. The New Claim**

New claim 55, which is dependent in independent claim 1, recites that each scene comprises at least one image. Fig. 2 shows a scene comprising multiple images, for example. Claim 55 should be allowable because claim 1 is allowable, as discussed above, and the combination of claim 1 and claim 55 is not shown or suggested in the cited print out.

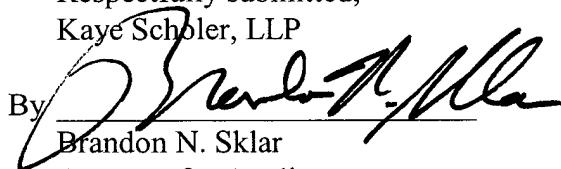
Entry and consideration of claim 55 is respectfully requested.

**IX, Conclusion**

In view of the foregoing, each of claims 1-55, as amended, is believed to be in condition for allowance. Accordingly, consideration or reconsideration of these claims, as appropriate, is requested and allowance of the application is earnestly solicited.

Respectfully submitted,  
Kaye Scholer, LLP

By

  
Brandon N. Sklar  
Attorney for Applicants  
Reg. No. 31,667  
212-836-8653

Date: August 11, 2005